

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 05-1064V

Filed: September 15, 2008

NOT TO BE PUBLISHED

JORDAN TAYLOR SHEPPERSON, *

by her mother *

ALISHA SHEPPERSON, *

Petitioner, *

Attorneys' Fees and Costs

v. *

SECRETARY OF THE DEPARTMENT
OF HEALTH AND HUMAN SERVICES, *

Respondent. *

DECISION¹

On September 10, 2008, petitioner filed Petitioner's Application for Fees and Costs (hereinafter P Fee Appl.). Petitioner states in P Fee Appl. that petitioner's fees and cost request has been reviewed by counsel for respondent and the payments requested are unopposed by respondent. See P Fee Appl., filed September 10, 2008.

After reviewing the request, the court finds that an award in the amount of \$41,480.00 in attorneys' fees and the amount of \$15,030.77 in litigation costs for petitioner's counsel, the law firm of Black McLaren Jones Ryland and Griffee, to be reasonable. The court thanks the parties for their cooperative efforts which quickly resolved this matter.

¹The undersigned intends to post this decision on the United States Court of Federal Claims's website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002). As provided by Vaccine Rule 18(b), each party has 14 days within which to request redaction "of any information furnished by that party (1) that is trade secret or commercial or financial information and is privileged or confidential, or (2) that are medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of privacy." Vaccine Rule 18(b). Otherwise, "the entire" decision will be available to the public. Id.

Accordingly, pursuant to Vaccine Rule 13, petitioner is hereby awarded a **total of \$56,510.77 in attorneys' fees and costs.** Fees and costs are to be paid jointly to petitioner and petitioner's counsel, the law firm of Black McLaren Jones Ryland and Griffiee.² In the absence of a motion for review filed pursuant to RCFC, Appendix B, the Clerk is directed to enter judgment according to this decision.³

IT IS SO ORDERED.

Gary J. Golkiewicz
Chief Special Master

²This amount is intended to cover all legal expenses. This award encompasses all charges by the attorney against a client, "advanced costs" as well as fees for legal services rendered. Furthermore, 42 U.S.C.A. §300aa-15(e)(3) prevents an attorney from charging or collecting fees (including costs) which would be in addition to the amount awarded herein. See generally, Beck v. Secretary of HHS, 924 F.2d 1029 (Fed. Cir. 1991).

³Pursuant to Vaccine Rule 11(a), the parties can expedite entry of judgment by each party filing a notice renouncing the right to seek review by a United States Court of Federal Claims judge.